

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. CARPER, Mr. BROWN, Ms. HIRONO, Mr. WYDEN, Mrs. MURRAY, Mr. BOOKER, Mr. REED, Mr. BLUMENTHAL, and Mr. KAINE):

S. 2043. A bill to amend title 38, United States Code, to prohibit smoking on the premises of any facility of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2043

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

“§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigarettes.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

By Mr. DURBIN (for himself, Mrs. FEINSTEIN, Mr. BROWN, and Mr. REED):

S. 2044. A bill to amend the Fair Labor Standards Act of 1938 to prohibit employment of children in tobacco-related agriculture by deeming such employment as oppressive child labor; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as “Children Don’t Belong on Tobacco Farms Act”.

SEC. 2. TOBACCO-RELATED AGRICULTURE EMPLOYMENT OF CHILDREN.

Section 3(l) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(l)) is amended—

(1) in the first sentence—

(A) by striking “in any occupation, or (2)” and inserting “in any occupation, (2)”; and

(B) by inserting before the semicolon the following: “, or (3) any employee under the age of eighteen years has direct contact with tobacco plants or dried tobacco leaves”; and

(2) in the second sentence, by striking “other than manufacturing and mining” and inserting “, other than manufacturing, mining, and tobacco-related agriculture as described in paragraph (3) of the first sentence of this subsection.”.

By Ms. COLLINS (for herself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. HASSAN, Mrs. SHAHEEN, Mrs. GILLIBRAND, and Mr. KING):

S. 2047. A bill to ban the use of intentionally added perfluoroalkyl or polyfluoroalkyl substances in cosmetics; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce the No PFAS in Cosmetics Act. I am pleased to be partnering with Senator BLUMENTHAL on this important legislation. Our bipartisan bill seeks to ban the inclusion of Per- and polyfluoroalkyl substances (PFAS) in cosmetics products, such as make-up, moisturizer, and perfume.

PFAS are a class of man-made chemicals, which includes PFOA, PFOS, and GenX. These chemicals can bioaccumulate in our bodies over time and have been linked to cancer, thyroid disease, liver damage, decreased fertility, and hormone disruption. First developed in the 1940s, PFAS are traditionally found in food packaging, nonstick pans, clothing, furniture, and firefighting foam.

Unfortunately, Maine has experienced considerable PFAS contamination, which has not only threatened our water supply, but adversely affected the livelihoods of farmers. Several dairy farms in Maine recently discovered serious levels of PFAS in their operations, with milk containing as high as 1,420 parts per trillion. This is more than twenty times EPA’s established health advisory level for drinking water.

In addition to these agricultural and water supply contaminations, we now also know that PFAS appear in products across the spectrum—including cosmetics. A new peer-reviewed study led by the University of Notre Dame published in Environmental Science and Technology Letters found high fluorine levels—indicating the probable presence of PFAS—in just over half of 231 makeup products tested, including

waterproof mascara, liquid lipsticks, and foundations.

A subset of 29 samples was studied further to identify specific PFAS chemicals. Between four and 13 specific PFAS were identified in each of the 29 samples, some at high concentrations. Remarkably, only one of these 29 products listed any fluorochemical ingredients on the product’s label. While some of these PFAS may be present in trace quantities as impurities in the manufacturing process, those found at high concentrations are likely being used intentionally to impart performance characteristics to the product. Since fluorinated chemicals are not disclosed on the labels, this study suggests that consumers unknowingly are being exposed to PFAS in their cosmetics.

The findings of this study are particularly alarming, as many of these products are subject to direct human exposure. For example, lipstick is often inadvertently ingested, and mascara is sometimes absorbed through tear ducts. In addition, during the cosmetic product manufacturing process, workers are exposed to the chemicals that are used, and discarded products with PFAS can cause the potential for additional human exposure if drinking water sources are contaminated.

PFAS pose an unnecessary and avoidable risk to human health and do not belong in our cosmetic products. The Federal Food, Drug, and Cosmetic Act defines cosmetics as “articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body . . . for cleansing, beautifying, promoting attractiveness, or altering the appearance.” This definition includes skin moisturizers, perfumes, lipsticks, fingernail polishes, eye and facial makeup preparations, cleansing shampoos, permanent waves, hair colors, and deodorant, as well as other similar products. Our legislation would direct the FDA to issue a proposed rule banning the intentional addition of PFAS in cosmetics, as defined by the FDA, within 270 days of enactment, and require a final rule to be issued 90 days thereafter.

The FDA should act now to ban the addition of PFAS to cosmetics products to help protect people from further contamination. I urge all of my colleagues to join me in supporting the No PFAS in Cosmetics Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 268—EXPRESSING SUPPORT FOR THE DESIGNATION OF JUNE 2021 AS “NATIONAL DAIRY MONTH” TO RECOGNIZE THE IMPORTANT ROLE DAIRY PLAYS IN A HEALTHY DIET AND THE EXCEPTIONAL WORK OF DAIRY PRODUCERS IN BEING STEWARDS OF THE LAND AND LIVESTOCK

Mr. MARSHALL (for himself, Mrs. GILLIBRAND, Mr. CORNYN, Ms. HASSAN,

Mr. CRAPO, Mrs. SHAHEEN, Mr. SCOTT of South Carolina, Ms. BALDWIN, Mr. RISCH, Mr. KING, Mr. GRASSLEY, Ms. SMITH, Mr. BRAUN, Mr. LUJÁN, Ms. COLLINS, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 268

Whereas the United States dairy industry serves as a key driver in the national food system and supports the people of the United States both nutritionally and economically;

Whereas the 2020–2025 United States Dietary Guidelines for Americans finds that healthy dietary patterns feature dairy products, as such products provide essential nutrients which keep the people of the United States healthy and serve as a leading source of—

(1) calcium, which helps maintain strong bones and aids in heart function; and

(2) vitamin D, which aids in calcium absorption;

Whereas the 2020–2025 United States Dietary Guidelines for Americans finds that some products sold as “milks” made from plants may be consumed as a source of calcium, but most plant products are not nutritionally similar to milk from dairy cows;

Whereas the 2020–2025 United States Dietary Guidelines for Americans provides daily recommendations for key age groups, including—

(1) 3 cup-equivalents of dairy products for pre-teens, teenagers, and adults;

(2) 2½ cups for children 4 to 8 years of age; and

(3) 2 cups for children 2 to 4 years of age; Whereas studies have shown that following these daily recommendations leads to improved bone health and reduced risk of—

(1) osteoporosis, which is a condition where bones become more fragile over time and more prone to fractures; and

(2) cardiovascular diseases, which are a group of disorders of the heart and blood vessels that lead to heart attacks and strokes and are among the leading causes of death in the United States;

Whereas individuals who are lactose intolerant can choose low-lactose and lactose-free dairy products;

Whereas 42 percent of individuals in the United States are below their estimated average requirement for calcium intake, and 94 percent are below such requirement for vitamin D intake;

Whereas a global study of more than 136,000 adults from 21 countries found that consuming at least 2 servings of dairy products per day is associated with lower risk for heart disease, stroke, and death;

Whereas the annual all-inclusive expense of providing care for osteoporotic fractures among Medicare beneficiaries was an estimated \$57,000,000,000 in 2018, and is expected to increase to over \$95,000,000,000 by 2040;

Whereas, when broken down by individual, in the year following a fracture, all-cause

health care costs exceeded \$30,000, of which an average of \$3,000 was paid by the patient;

Whereas Congress authorized dairy products as eligible foods under the special supplemental nutrition program for women, infants, and children program under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), which safeguards the health of low-income women, infants, and children up to age 5 who are at nutrition risk by providing nutritious foods to supplement diets;

Whereas Congress authorized the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), which helps low-income working families, low-income seniors, and people with disabilities access nutritious foods, including dairy products;

Whereas the United States–Mexico–Canada Agreement provided new opportunities and continued supporting the access of high-quality United States products to 2 valuable export markets;

Whereas dairy production efficiently and affordably provides essential nutrients, while only contributing to 1.3 percent of the greenhouse gas emissions of the United States;

Whereas, between 1944 and 2007, the United States dairy industry produced 59 percent more milk and reduced its carbon footprint by 63 percent with 79 percent fewer cows;

Whereas, in 2020, the average dairy cow in the United States produced 23,777 pounds (or 44,463 cups) of milk per year, an increase of 11.5 percent from 2011;

Whereas milk is produced in all 50 States on 31,657 licensed dairy farms, with California, Wisconsin, Idaho, New York, and Texas serving as the top 5 producers, producing 53 percent of the United States' dairy; and

Whereas the United States dairy industry directly and indirectly provides \$753,000,000,000 in total economic impact to the United States and supports 3,300,000 jobs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of June 2021 as “National Dairy Month” to recognize—

(A) the important role dairy plays in a healthy diet;

(B) the exceptional work of dairy producers in being stewards of the land and livestock; and

(C) the economic impact of the United States dairy industry; and

(2) encourages the people of the United States to visit with dairy producers to learn more about agriculture and the vital role dairy producers play in our global food system.

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent to allow Mark Meador, a member of my staff, floor privileges for the duration of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 15, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, June 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that upon conclusion of morning business, the Senate proceed to executive session to resume consideration of the Khan nomination; that all postcloture time expire at 11:30 a.m.; and further, that the Senate recess following the cloture vote on the Ahuja nomination until 2:15 p.m. to allow for the weekly caucus meetings; that if cloture is invoked on the Ahuja nomination, that all postcloture time expire at 2:30 p.m.; finally, that if any of the nominations are confirmed, that the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:28 p.m., adjourned until Tuesday, June 15, 2021, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 14, 2021:

THE JUDICIARY

KETANJI BROWN JACKSON, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

ENVIRONMENTAL PROTECTION AGENCY

MICHAEL ILANA FREEDHOFF, OF MARYLAND, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY.